

JUDGE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TAM VAN DANG and SANXAY  
HANG XAYADETH,

Defendants.

NO. CR05-317-MJP

ORDER ON STIPULATED MOTION  
TO CONTINUE PRETRIAL MOTIONS  
FILING DATE AND TRIAL DATE

THE COURT having considered the stipulation of the parties, the records and files herein, and the motion for continuance of pretrial motions date, the Court hereby makes the following findings:

1. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

2. The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public and the defendants in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

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2 IT IS THEREFORE ORDERED that the time within which pretrial motions must  
3 be filed in this case is extended from September 29, 2005 to December 1, 2005 and the  
4 trial date from October 26, 2005 to January 17, 2006.

5 IT IS FURTHER ORDERED THAT the time period between October 26, 2005  
6 and January 17, 2006 is excludable time, pursuant to 18 U.S.C. § 3161(h)(8)(A), for the  
7 purposes of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C.  
8 § 3161-3174.

9 DONE this 1<sup>st</sup> day of November, 2005.

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11 /S/Marsha J. Pechman  
12 HONORABLE MARSHA J. PECHMAN  
13 UNITED STATES DISTRICT JUDGE

14 Presented by:

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